

REMARKS

Applicants and the undersigned are most grateful for the time and effort accorded the instant application by the Examiner. Claims 1-19 and 21 were pending in the instant application at the time of the outstanding Office Action. Of these claims, Claims 1, 10, and 19 are independent claims; the remaining claims are dependent claims. All claims stand rejected. The Office is respectfully requested to reconsider the rejections present in the outstanding Office Action in light of the forgoing amendments and the following remarks.

On June 30, 2009, Applicants representatives conducted a telephone interview with the Examiner in which the claims and the cited reference were discussed. It was agreed that claim 21 appeared to overcome the art of record.

It should be noted that Applicants are not conceding in this application the claims amended and cancelled herein are not patentable over the art cited by the Examiner, as the present claim amendments and cancellations are only for facilitating expeditious prosecution. Applicants respectfully reserve the right to pursue these and other claims in one or more continuations and/or divisional patent applications. Applicants specifically state no amendment to or cancellation of any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended or cancelled claim.

Rejections under 35 USC § 102

Claims 1-19 and 21 stand rejected under 35 USC § 102(b) as being anticipated by Vegas (Vegas 2.0 Users Manual, 2000, Sonic Foundry, pgs 1-4111) (hereinafter “Vegas”). Applicants respectfully request reconsideration and withdrawal of this rejection.

Applicants respectfully re-iterate that the claims as previously presented were distinguishable from Vegas and therefore were not anticipated. As the Examiner is no doubt aware, “...unless a reference discloses within the four corners of the document not only all of the limitations claimed but also all of the limitations arranged or combined in the same way as recited in the claim, it cannot be said to provide prior invention of the thing claimed and, thus, cannot anticipate under 35 U.S.C. § 102.” *Net MoneyIN Inc. v. VeriSign Inc.*, 545 F.3d 1359 (Fed. Cir. 2008). Applicants again respectfully submit that Vegas is not even directed to annotation or labeling generally but rather with editing.

Nonetheless, Applicants have amended the claims herein in an effort to facilitate expeditious prosecution of this application. Independent claims 1 and 19 have been amended to incorporate certain limitations of claim 21. Claim 1 now recites, *inter alia*,

...wherein said arrangement for assigning semantic, multimedia content-based labels is configured to: provide a label from a predefined set of multimedia content descriptors; and assign a new label not present in said predefined set of multimedia content descriptors; an arrangement permitting a user to label audio while viewing video having: a check box for labeling foreground sounds; a check box for labeling background sounds; and a keyword text box arrangement...

Applicants respectfully submit that Vegas fails to anticipate the claims as amended and respectfully request reconsideration and withdrawal of these rejections.

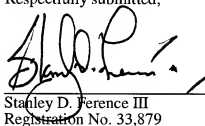
Newly Added Claims

Applicants briefly note that they have cancelled claims 10-18 without prejudice and added new claims 22-25 herein. Support for these claims can be found throughout the specification, particularly at pp. 5-7. Applicants respectfully submit that these newly presented claims are likewise in condition for allowance.

Conclusion

In summary, it is respectfully submitted that the instant application, including Claims 1-9, 19 and 22-25, is presently in condition for allowance. Notice to the effect is hereby earnestly solicited. If there are any further issues in this application, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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